IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WA.No. 1270 of 2007()

AGAINST THE JUDGEMENT IN OP.758/1998 Dated 07/03/2007
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APPELLANT: RESPONDENTS 1 TO 4
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1. THE STATE OF KERALA, REP. BY THE
CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE LAND BOARD, THIRUVANANTHAPURAM.

3. THE TALUK LAND BOARD, ALATHUR.

4. THE TAHSILDAR, ALATHUR.

BY GOVERNMENT PLEADER

RESPONDENT: PETITIONER

S.R.BALAKRISHNAN, S/O P.R.SWAMI IYER,
PERINKULAM VILLAGE, ALATHUR TALUK,
PALGHAT DISTRICT.

BY ADV. SRI.S.V.BALAKRISHNA IYER

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.1270 of 2007
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Dated this the 12th day of June, 2007.

JUDGMENT

Radhakrishnan,J.

Original Petition was preferred by the respondent seeking a writ of mandamus directing the second respondent to pay to the petitioner the sum of Rs.26,068.51 together with interest thereon from 19.12.1978 till date of payment being the compensation for the lands taken possession pursuant to Ext.P1 and for other consequential reliefs. Learned single Judge held that respondents are not justified in saying that a portion of the land is a private forest, vested in the Government. Learned single Judge noticed that more than 28 years have elapsed after taking possession of the land, therefore directed the respondents to pay a sum of Rs.25,000/- to the petitioner. We find no infirmity in the findings rendered by the learned single judge. Government Pleader seeks time to effect payment. Two weeks time is granted to effect payment.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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